

2-10-03

EP 2661

CINGULAR REF. NO.: C01-0039-000

#5
34-03
p. 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Mel D. FRERKING, et al.

Serial No.: 10/044,386

Group Art Unit: 2681

Filed: January 11, 2002

Examiner:

Title: SYSTEM AND METHOD FOR PROVIDING FLEXIBLE DATA RATE TRANSMISSION IN
A TELECOMMUNICATION SYSTEM

**POWER OF ATTORNEY BY ASSIGNEE OF ENTIRE INTEREST
AND REVOCATION OF PRIOR POWERS**

Honorable Commissioner of
Patents and Trademarks
Washington, D.C. 20231

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FEB 12 2003

Sir:

Technology Center 2600

The undersigned corporation is the assignee of record of the entire interest of the above-identified application and hereby:

REVOCATION OF PRIOR POWERS OF ATTORNEY

revokes all powers of attorney previously given, and

NEW POWER OF ATTORNEY

appoints the attorneys and/or agents of Cingular Wireless, LLC under USPTO Customer No. 33190 to prosecute and transact all business in the United States Patent and Trademark Office connected therewith.

CORRESPONDENCE CHANGE OF ADDRESS

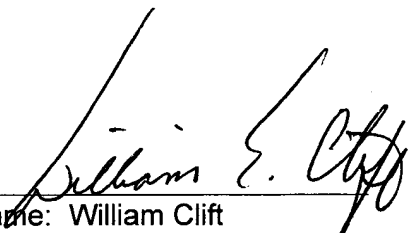
All correspondence and telephone communications should be directed to:

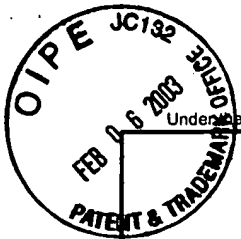
Cingular Wireless, LLC
5565 Glenridge Conn.
Suite #920; Attn: Linda Giles
Atlanta, GA 30342
(404) 236-6720

ASSIGNEE CERTIFICATION

The undersigned assignee further states that the registered attorneys and/or agents identified in the new power of attorney above are empowered to sign the statement and certification under 37 CFR 3.73(b) on behalf of the assignee. Attached to this power is a "CERTIFICATE UNDER 37 CFR 3.73(b)."

Dated 2/5/2003

By: 
Name: William Clift
Corporate Officer: Chief Technical Officer,
Cingular Wireless, LLC



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Mel D. Frerking, et al.
Application No./Patent No.: 10/044,386 Filed/Issue Date: January 11, 2002
Entitled: System and Method for Providing Flexible Data Rate Transmission...
Cingular Wireless, LLC, a Corporation
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
The extent (by, percentage) of its ownership interest is _____%

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☒ Copies of assignments or other documents in the chain of title are attached.
[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

2/5/2003
Date

Coulter C. Henry; Reg. No. 51,121

Typed or printed name

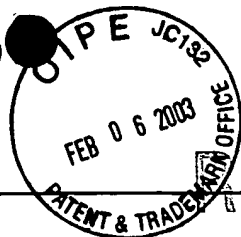
Coulter C. Henry

Signature

Representative for Assignee

Title

UNITED STATES
PATENT AND
TRADEMARK OFFICE



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JUNE 21, 2002

PTAS JUN 28 2002

Chief Information Officer
Washington, DC 20231
www.uspto.gov

FINNEGAN, HENDERSON, FARABOW, GARRETT
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FINNEGAN, HENDERSON,
FARABOW, GARRETT & DUNNER, L.L.P.



102068097A

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

08648-001
RDT/TLC/DSW

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

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RECORDATION DATE: 04/23/2002

REEL/FRAME: 012817/0047

NUMBER OF PAGES: 3

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BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

FRERKING, MELVIN D.

DOC DATE: 04/11/2002

ASSIGNOR:

OHANA, ALAIN

DOC DATE: 04/11/2002

ASSIGNEE:

CINGULAR WIRELESS, L.L.C.
5565 GLENRIDGE CONNECTOR
SUITE 1700
ATLANTA, GEORGIA 30342

SERIAL NUMBER: 10044386

FILING DATE: 01/11/2002

PATENT NUMBER:

ISSUE DATE:

JOANN STEWART, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

DET
1.28.02
JRS

04-26-2002

APR 23 2002



U.S. Department of Commerce
Patent and Trademark Office
Attorney Docket No. 08648.0001
Attorney Customer Number: 22,852

To the Honorable Commissioner of
Please record the attached original

102068097

ATTN. BOX ASSIGNMENTS

1. Name of conveying parties:
Melvin D. Frerking; Alain Ohana

4-23-02

2. Name and address of receiving party(ies):

Name: Cingular Wireless, L.L.C.

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

Internal Address: Suite 1700

3. Nature of conveyance:

Street Address: 5565 Glenridge Connector

☒ Assignment ☐ Merger

City: Atlanta

☐ Security Agreement ☐ Change of Name

State: GA Zip Code: 30342

☐ Other: [Describe]

Additional name(s) & Address(es) attached?

Execution Date: April 11, 2002; April 11 2002

☐ Yes ☒ No

4. Application number(s) or patent number(s): If this document is being filed together with a new application, the execution date of the application:

A. Patent Application Number(s):

10/044,386

B. Patent Number(s):

[Text]

Additional numbers attached?

☐ Yes ☒ No

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5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Roger D. Taylor, Esq.

6. Total number of applications and registrations involved:
ONE

7. Total fee (37 CFR 3.41): \$40

☒ Enclosed (Please charge deficiency to deposit account)

☐ Authorized to be charged to deposit account

Internal Address: FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.

Street Address: 1300 I Street, N.W.

City: Washington, D.C.

State: Zip: 20005-3315

8. Deposit Account No.: 06-0916

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Douglas S. Weinstein
[Typed Name of Signor]

Signature

April 23, 2002

Date

Total number of pages including cover sheet, attachments and documents: 3

ASSIGNMENT

WHEREAS We, the below named inventors, [hereinafter referred to as Assignors], have made an invention entitled:

SYSTEM AND METHOD FOR PROVIDING FLEXIBLE DATA RATE TRANSMISSION IN A TELECOMMUNICATION SYSTEM

for which We executed an application for United States Letters Patent concurrently herewith or filed an application for United States Letters Patent on January 11, 2002 (Serial No. 10/044,386); and

WHEREAS, Cingular Wireless, L.L.C., a corporation of Delaware whose post office address is 5565 Glenridge Connector, Suite 1700, Atlanta, Georgia 30342 (hereinafter referred to as Assignee), is desirous of securing the entire right, title, and interest in and to this invention in all countries throughout the world, and in and to the application for United States Letters Patent on this invention and the Letters Patent to be issued upon this application;

NOW THEREFORE, be it known that for and in consideration of the sum of One Dollar (\$1.00) in hand paid and other good and valuable consideration the receipt of which from Assignee is hereby acknowledged, We, as Assignors, have sold, assigned, transferred, and set over, and do hereby sell, assign, transfer, and set over unto the Assignee, its lawful successors and assigns, our entire right, title, and interest in and to this invention, provisional application Serial No. [Text], filed [Date] (if any), and this application, and all divisions, and continuations thereof, and all Letters Patent of the United States which may be granted thereon, and all reissues thereof, and all rights to claim priority on the basis of the above provisional application (if any), as well as all rights to claim priority on the basis of this application, and all applications for Letters Patent which may hereafter be filed for this invention in any foreign country and all Letters Patent which may be granted on this invention in any foreign country, and all extensions, renewals, and reissues thereof; and We hereby authorize and request the Commissioner of Patents and Trademarks of the United States and any official of any foreign country whose duty it is to issue patents on applications as described above, to issue all Letters Patent for this invention to Assignee, its successors and assigns, in accordance with the terms of this Assignment;

AND, WE HEREBY covenant that We have the full right to convey the interest assigned by this Assignment, and We have not executed and will not execute any agreement in conflict with this Assignment;

AND, WE HEREBY further covenant and agree that We will, without further consideration, communicate with Assignee, its successors and assigns, any facts known to us respecting this invention, and testify in any legal proceeding, sign all lawful papers when called upon to do so, execute and deliver any and all papers that may be necessary or desirable to perfect the title to this invention in said Assignee, its successors or assigns, execute all divisional, continuation, and reissue applications, make all rightful oaths and generally do everything possible to aid Assignee, its successors and assigns, to obtain and enforce proper patent protection for this invention in the United States and any foreign country, it being understood that any expense incident to the execution of such papers shall be borne by the Assignee, its successors and assigns.

IN TESTIMONY WHEREOF, We have hereunto set our hands.

County of <u>Sulton</u>)	ss.	Name: <u>Melvin D. Frerking</u>
))		Address: <u>2566 Bailey Drive</u>
))		<u>Norcross, GA 30071-4303</u>
State of <u>Georgia</u>)		By: <u><i>Melvin D. Frerking</i></u>
		Date: <u><i>April 11, 2002</i></u>

Subscribed and sworn to before me this 11th day of April, 2002
Brida S. Gilles, Notary Public

Notary Public, Cobb County, Georgia
My Commission Expires March 16 2004

County of Dulton)
)
)
State of Georgia)

ss.

Name: Alain Ohana
Address: 21050 Point Place #1702
Aventura, FL 33180
By: [Signature]
Date: April 11, 2002

Subscribed and sworn to before me this 11th day of April, 2002
Linda S. Giles, Notary Public

Notary Public, Dulton County, Georgia
My Commission Expires March 18, 2004